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SENATE BILL 333 By
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HOUSE BILL 875
By Kisber

AN ACT to amend Tennessee Code Annotated, Title 56, to enact the "Access to Health Carriers' Payment Policies, Rules and Fee Schedules Act."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act shall be known and may be cited as the "Access to Health Carriers' Payment Policies, Rules and Fee Schedules Act."

SECTION 2. The general assembly hereby finds and declares that:

(a) Physicians and current prospective health plan beneficiaries often do not have access to the fee schedules, payment policies and other payment rules developed by health carriers;

(b) Requiring health carriers to provide access to their fee schedules, payment policies and payment rules will help to enhance competition in the health care system.

SECTION 3. For purposes of this act, unless the context requires otherwise, "Health Carrier" means any entity subject to the insurance laws and regulations of this state, or subject to the jurisdiction of the commissioner of insurance, that contracts or offers to contract to enter into an agreement to provide, deliver, arrange for, pay for or reimburse any of the costs of

health care services or any other entity providing a plan of health insurance, health benefits or health services.

SECTION 4. Health carriers must publish or make available upon request to physicians and current and prospective beneficiaries the following information:

(1) Payment policies, including, but not limited to, payment rates, use of payment modifiers, coding rules, bundling rules, global surgical policies, and the methodologies used in developing these payment policies;

(2) Payment schedules and fee schedules; and

(3) Utilization review criteria, including the screening criteria, weighting elements; and

(4) Computer algorithms utilized in the review process and their methods of development.

SECTION 5. Tennessee Code Annotated, Title 56, Chapter 7, Part 10, is amended by adding Sections 1-4, inclusive, as new sections to be appropriately designated.

SECTION 6. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 7. This act shall take effect upon becoming a law, the public welfare requiring it.